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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/508,776	09/23/2004	Yoshimasa Okabe	2004_1456A	7891

513 7590 10/16/2007  
WENDEROTH, LIND & PONACK, L.L.P.  
2033 K STREET N. W.  
SUITE 800  
WASHINGTON, DC 20006-1021

EXAMINER
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WOLDEMARIAM, AKILILU K

ART UNIT	PAPER NUMBER
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2624

MAIL DATE	DELIVERY MODE
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10/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10508776	9/23/2004	OKABE, YOSHIMASA	2004_1456A

WENDEROTH, LIND & PONACK, L.L.P.  
2033 K STREET N. W.  
SUITE 800  
WASHINGTON, DC 20006-1021

**EXAMINER**

Aklilu k. Woldemariam

ART UNIT	PAPER
2624	20071005

**DATE MAILED:**

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

**Non-responsive**

1. The amendment filed on August 16, 2007 canceling all claims drawn to the elected invention and presenting only new claims of different scope drawn to a non-elected invention is non-responsive (MPEP § 821.03). The new claims are not readable on the original prosecuted invention because the original claims read on Fig.12 and the new claims presented in the amendment read on Fig.13 and of a different scope. Applicant is respectfully requested to submit claims within the same scope of the original claims. Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

**Conclusion**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aklilu k. Woldemariam whose telephone number is 571-270-3247. The examiner can normally be reached on Monday-Thursday 6:30 a.m-5:00 p.m EST.

Art Unit: 2624

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samir Ahmed can be reached on 571-272-7413. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Samir Ahmed  
SPE  
Art Unit 2624

A.W.  
10/05/2007



SAMIR AHMED  
PRIMARY EXAMINER